

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

IN RE: CONTEMPT)	
PROCEEDINGS AGAINST)	
DANIEL CARPENTER,)	Case No. 24-MC-005-GKF
JONATHAN BOOTHROYD, and)	
SDM HOLDINGS, LLC)	

ORDER

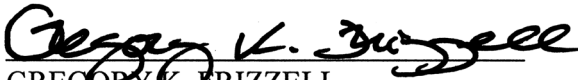
This matter comes before the court on the Objection to Universitas Education, LLC's Motion for Restitution [Doc. 159] and Motion to Strike Universitas Education, LLC's Motion for Restitution [Doc. 160] of defendant Daniel E. Carpenter.

Motions to strike are disfavored "except under extraordinary circumstances." *SFF-TIR, LLC v. Stephenson*, 250 F.Supp.3d 856, 1056 (N.D. Okla. 2017) (citing 5 *C. Wright & A. Miller* Fed. Practice & Procedure § 1382, at 433–36 (3d ed. 2004)). Generally, "only material included in a 'pleading' may be the subject of a motion to strike, and courts have been unwilling to construe the term broadly. Motions . . . may not be attacked by the motion to strike." *Id.* at 979 (quoting *Dubrovin v. Ball Corp. Consol. Welfare Ben. Plan for Emps.*, No. 08-CV-563-WYD-KMT, 2009 WL 5210498, at *1 (D. Colo. Dec. 23, 2009)).

Here, Mr. Carpenter's Motion to Strike is identical to his Objections to Universitas's Motion for Order for Restitution, save that the Motion includes the adjectives "vexatious and defamatory" when describing Universitas's Motion in the prayer for relief. This does not constitute "extraordinary circumstances" justifying a motion to strike. The dispute as to restitution should be heard and decided at Mr. Carpenter's sentencing hearing.

WHEREFORE, the Motion to Strike Universitas Education, LLC's Motion for Restitution [Doc. 160] of defendant Daniel E. Carpenter is denied. The Motion for Restitution and Mr. Carpenter's objection thereto shall be addressed at sentencing on September 12, 2025.

IT IS SO ORDERED this 11th day of August, 2025.


GREGORY K. FRIZZELL
UNITED STATES DISTRICT JUDGE